

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC**

In the Matter of	)	
	)	
Petition To Adopt Service Rules for	)	RM-11798
Unmanned Aircraft Systems ("UAS")	)	
Command and Control in the	)	
5030-5091 MHz Band	)	

**COMMENTS OF ELEFANTE GROUP, INC., IN SUPPORT**

Elefante Group, Inc. ("Elefante Group"), by its attorneys, hereby comments in response to the Commission's April 26, 2018, Public Notice in support of the Petition for Rulemaking ("Petition") filed by the Aerospace Industries Association ("AIA") seeking the adoption of licensing and service rules for Control and Non-Payload Communications ("CNPC") in the 5030-5091 MHz band ("C-Band") for command and control ("C2") supporting Unmanned Aircraft Systems ("UAS").<sup>1</sup>

Elefante Group plans to deploy persistent, unmanned stratospheric airborne platforms ("STRAPS") in the United States in the next few years to provide stratospheric-based communications service ("SBCS") to support the rapid deployment of 5G solutions in urban and rural markets.<sup>2</sup> Elefante Group's STRAPS will be lighter-than-air ("LTA") airships that will

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<sup>1</sup> See Report No. 3089, Public Notice, Consumer & Governmental Affairs Bureau Reference Information Center, Petition for Rulemakings Filed (April 26, 2018) ("Public Notice"). See also AIA, Petition for Rulemaking, RM-11798 (filed February 8, 2018).

<sup>2</sup> See Letter from Edward A. Yorkgitis, Jr., Kelley Drye & Warren LLP, counsel for Elefante Group, Inc., to Marlene Dortch, Secretary, FCC, Notice of *Ex Parte* Presentation, GN Docket Nos. 17-183.14-177, IB Docket Nos. 17-95, 15-256, 97-95, and 16-408, RM-11664, and WT Docket No. 10-112, at 3-7 (filed Sep. 8, 2017). See also Comments of Elefante Group, GN Docket No. 14-177 et al., at 2-5 (January 23, 2018) ("Elefante Group *Spectrum Frontiers* Comments").

operate at a nominal altitude of approximately 19.8 km at nominally-fixed locations. In order to meet command and control requirements, Elefante Group will rely on several solutions, including primarily commercial satellite links for BLOS when its airships are *en route* to and from station while they are at altitude and operating at station.<sup>3</sup> During ascent and descent, to and from altitude (i.e., launch, recovery, contingency), respectively, the airships will generally be within radio line-of-sight (“RLOS”) of the Fleet Operating Center collocated with the launch and landing site, which will handle command and control communications. The use of highly reliable RLOS C2 links free from disruption will be critical for safe ascent and descent of Elefante Group STRAPS.

The regulatory framework described in AIA’s Petition represents a good starting point for the adoption of licensing and operational rules for UAS for CNPC, including C2 communications between ground systems and the STRAPS contemplated by Elefante Group to support SBCS. The Commission should make clear that the UAS that are permitted to use the C-Band for CNPC include STRAPS (and their associated ground systems). Large, unmanned STRAPS clearly meet the definition of UAS, and C2 communications during their ascent and descent qualify as safety-of-life communications. Therefore, SBCS operators should be entitled to access the C-Band for CNPC under the frequency management and assignment process the Commission adopts for the 5030-5091 MHz range. The adoption of licensing and operational rules for UAS C2 will help ensure the timely deployment of SBCS in this country.

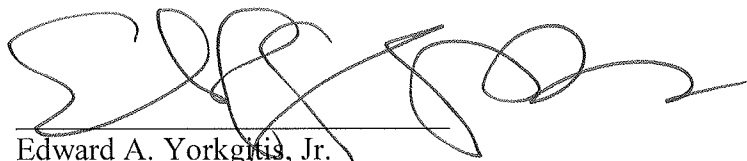
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<sup>3</sup> Elefante Group proposes to operate SBCS in the Ka and E Bands. *See* Elefante Group *Spectrum Frontiers* Comments at 3-6. Elefante Group may use a portion of these same links for command and control purposes when the airships are at station.

For the foregoing reasons, Elefante Group supports the prompt institution of a rulemaking as proposed in the Petition to allow UAS to access 5030-50921 MHz for RLOS, safety-of-life command and control operations.

Respectfully submitted,

**ELEFANTE GROUP, INC.**

A handwritten signature in black ink, appearing to read 'E. Yorkgitis, Jr.', written over a horizontal line.

Chris DeMarche  
Chief Operating Officer  
ELEFANTE GROUP, INC.  
4725 South Monaco Street  
Suite 330  
Denver, CO 80237

Edward A. Yorkgitis, Jr.  
KELLEY DRYE & WARREN, LLP  
3050 K Street, NW  
Suite 400  
Washington, DC 20007  
(202) 342-8420

*Its Counsel*

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